

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 11/654,699 Confirmation No.: 7937  
Applicant : J. Stuart Cumming  
Filing Date : January 16, 2007  
Title : Lens Assembly for Depth of Focus  
Group Art Unit: 3738  
Examiner : David H. Willse  
Docket No. : 13533.4074  
Customer No. : 34313

EFS Web  
Commissioner for Patents

**REISSUE APPLICATION DECLARATION AND  
POWER OF ATTORNEY BY INVENTOR**

A. ☒ DECLARATION BY THE INVENTOR(S)

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor of the subject matter that is described and claimed in letters patent number 6,849,091 granted on February 1, 2005, and in the foregoing specification, and for which invention I solicit a reissue patent.

B. ☒ DECLARATION BY ASSIGNEE

I, J. ANDY CORLEY, Director of C&C VISION INTERNATIONAL LIMITED declare that I am a citizen of the United States and resident of Laguna Hills, California; that the entire title to letters patent number 6,849,091 for Lens Assembly for Depth of Focus granted on February 1, 2005 to J. Stuart Cumming is vested C&C VISION INTERNATIONAL LIMITED, that I believe said named inventor to be an original, first and sole inventor of the subject matter that is described and claimed in the aforesaid letters patent and in the foregoing specification and for which invention I solicit a reissue patent.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration (37 CFR 1.63(b)(2)).

Applicant : J. Stuart Cumming  
Docket No. : 13533.4074

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Sec. 1.56. (37 CFR 1.63(b)(3))

- ☐ In compliance with this duty, there is attached an information disclosure statement in accordance with 37 CFR 1.98.

### PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claims.

- C. ☒ No such application have been filed.  
D. ☐ Such applications have been filed as follows:

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EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION

Country	Application No.	Date of filing (day, month, year)	Date of Issue (Day, month, year)	Priority Claimed
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No

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ALL FOREIGN APPLICATIONS, IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION

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BENEFIT OF PROVISIONAL APPLICATION

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STATE OF INOPERATIVENESS OF INVALIDITY  
OR INVALIDITY OF ORIGINAL PATENT

The statement below specifies the error relied upon, and how they arose (37 CFR § 1.175(a)(1)). The applicant believes the original patent to be:

- ☒ wholly or partly inoperative or invalid;  
☐ invalid by reason of a defective specification or drawing; and/or

☒ by reason of the patentee claiming more or less than the patentee had the right to claim in the patent

All errors being corrected in the reissue application up to the time of filing of the oath or declaration under this paragraph arose without any deceptive intention on the part of the applicant.

☐ Corroborating affidavits or declarations of others accompany this declaration. (37 CFR § 1.175(b)).

I, the undersigned, request reissue of U.S. Patent No. \_\_\_\_\_ on the basis that I consider all of the claims in the patent to be partially inoperative by my reason that I claimed less than what I had a right to claim. This error arose without any deceptive intent on my part. In this regard, not being a patent attorney or agent, I was unable to evaluate whether the claims presented during the prosecution of the case and as finally allowed afforded adequate and proper protection for my invention.

More particularly, at the time of prosecuting the application, the error occurred as neither I, nor my attorneys fully appreciated the full scope of the invention as now claimed in the issued patent. More specifically, as I have now been advised, I failed to include a claim similar to Claim 26 but of the scope of new Claim 27 which defines, *inter alia*, a “posteriorly vaulted relatively rigid frame” and which omits the last word “longitudinally,”

#### POWER OF ATTORNEY

I hereby appoint as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefore before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified application, all of the registered practitioners identified by Customer Number 34313.

Direct all correspondence to :

Applicant : J. Stuart Cumming  
Docket No. : 13533.4074

Customer No. 34313  
Orrick, Herrington & Sutcliffe LLP  
Attn: Samuel B. Stone  
4 Park Plaza, Suite 1600  
Irvine, CA 2614-2558  
Tel. (949) 567-6700  
Fax. (949) 567-6710

**SIGNATURE(S)**

☒ BY THE INVENTOR(S)

Full name of sole or first inventor J. Stuart Cumming

**Inventors Signature**

**Date** 4-2-09 **Country of Citizenship** United States

**Residence** 1219 Emerald Bay, Laguna Beach, California 92651

**Post Office Address** 1219 Emerald Bay, Laguna Beach, California 92651

☒ BY ASSIGNEE OR PERSON AUTHORIZED TO SIGN ON BEHALF  
OF ASSIGNEE

**Name of Assignee** C&C VISION INTERNATIONAL LIMITED

**Address of Assignee** 29 Earlsfort Terrace, Dublin, Ireland 2

**Title of person authorized to sign on behalf of assignee** J. Andy Corley, Director

**Date:** 3/16/2009 **Signature**

☒ Assignment recorded in PTO on October 24, 2007

Reel 020010

Frame 0121

Copy of Assignment Recordation attached.

or ☐ FORM PTO 1595 is submitted herewith along with the assignment.